

REMARKS

In the Office Action mailed March 8, 2005, the Examiner noted that claims 1-34 were pending, that claims 2-13, 16, 20-24 and 27-31 have been withdrawn from consideration, and rejected claims 1, 14, 15, 17-20, 25, 26, and 32-34. Claims 1, 14, 15, 17, 19, 32, 33 and 34 have been amended, canceled claims 25-26, new claim 35 has been added and, thus, in view of the forgoing claims 1-24 and 27-35 remain pending for reconsideration which is requested. No new matter has been added. The Examiner's rejections are traversed below.

In the Action the Examiner objected to the drawings, the drawings have been corrected pursuant to the Examiner's comments and withdrawal of the objection is requested.

In the Office Action the Examiner rejected various claims under 35 U.S.C. section 112 paragraph 2 as indefinite. The claims have been amended in consideration of the Examiner's comments and it is submitted they satisfy the requirements of the statute. If additional concerns with the claims arise, the Examiner is invited to telephone to resolve the same. Suggestions by the Examiner are also welcome. Withdrawal of the rejection is requested.

On page 6 of the Action, the Examiner raised an issue of double patenting with respect to claims 17, 19 and 25, 26. Claims 25 and 26 have been cancelled.

On page 3 of the Office Action the Examiner rejected claims 1, 14, 17, 25, 32 and 33 under 35 U.S.C. § 102 as anticipated by Winkelman. Pages 5 and 6 of the Office Action reject claims 15, 18, 19, 26 and 34 under 35 U.S.C. § 103 over various combinations of Winkelman, Kinjo and Katajamaki.

Winkelman discusses a system that divides an image into a plurality of regions and statistically processes those regions to obtain a histogram associated with each region, evaluates the statistical values of each region and analyzes a characteristic of each of the regions.

In contrast, the present invention involves statistically processing characteristic amounts for "character" regions of an image and deriving a statistical value for the image from the statistical processing of the character regions (see the independent claims 1, 14, 15, 17, 19, 32, 33 and 34 as well as new claim 35). This statistical value can be used to further process the image as a whole such as correcting the tone value of the image. With the present invention once the characteristic amounts of the regions are determined, it is possible to estimate a characteristic of the entire image and perform desired processing of the image, such as tone correction. Winkelman does not offer a solution to the problem of image status estimation where

an extraneous large region is involved and can influence the outcome. The present invention does provide a solution.

Kinjo and Katajamaki add nothing to Winkelman with respect to the feature of the invention discussed above.

It is submitted that the invention of the claims distinguishes over the prior art and withdrawal of the rejections is requested.

The dependent claims depend from the above-discussed independent claims and are patentable over the prior art for the reasons discussed above. The dependent claims also recite additional features not taught or suggested by the prior art. For example, claim 18 emphasizes that a weight in addition to the statistical characteristic of each area is processed. The prior art does not teach or suggest such. It is submitted that the dependent claims are independently patentable over the prior art.

It is submitted that the claims satisfy the requirements of 35 U.S.C. 112. It is also submitted that the claims are not taught, disclosed or suggested by the prior art. The claims are therefore in a condition suitable for allowance. An early Notice of Allowance is requested.

If any further fees, other than and except for the issue fee, are necessary with respect to this paper, the U.S.P.T.O. is requested to obtain the same from deposit account number 19-3935.

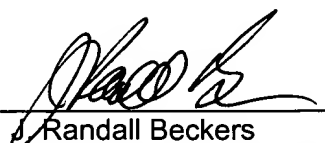
Respectfully submitted,

STAAS & HALSEY LLP

Date: _____

2/9/15

By: _____



J. Randall Beckers
Registration No. 30,358

1201 New York Avenue, NW, Suite 700
Washington, D.C. 20005
Telephone: (202) 434-1500
Facsimile: (202) 434-1501

AMENDMENTS TO THE DRAWINGS:

In the Office Action, the Examiner objected to the drawings. In order to overcome these objections, replacement figures are submitted herewith. Approval of these changes to the Drawings is respectfully requested.